



Delaware Audubon

www.delawareaudubon.org

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Annual Meeting Scheduled for Sunday, May 18 at the Schwartz Center for the Arts in Dover

Delaware Audubon members and friends are invited to our Annual Meeting and social in Dover to honor Citizens for Clean Power.

The meeting and award presentation will begin at 1 p.m. in the ballroom of the Schwartz Center for the Arts, 226 S. State Street, Dover. Tickets are \$30 per person. All Delaware Audubon members, friends, and supporters are welcome. You can register online at: www.delawareaudubon.org/dinner. There is a mail-in reply form on the back cover of this newsletter for those who do not have Internet access. **Please respond by May 10.**



A buffet luncheon will include boneless herbed breast of chicken, vegetable lasagna, herb roasted new potatoes, a fresh vegetable medley, tossed salad, and cheesecake with fruit topping.

The meeting will also feature a new National Audubon Society presentation about global climate change, and its relationship to alternative energy. Additional program details will be announced on our website. A very short business meeting will include a report from our conservation chair and election of new Board members.

Directions to the Schwartz Center can be found on its website at: www.schwartzcenter.com. Ample free parking is available in the adjacent Citizens Bank parking lot, and nearby on The Green, Lockerman Street, and other lots within a two-block radius of the building. There is handicapped parking in the bank lot.

Delaware Audubon's annual Conservation Award will be presented to the executive committee of the **Citizens for Clean Power**, a grassroots Sussex County organization dedicated to supporting clean, renewable energy. Members of the Executive Committee, who will be honored, include Kit and Bill Zak, Pat Garity, Nancy Feichtl, Kim Furtado, Connie Peterson, John Austin, and Charlie Dunham. This is the first time the Delaware Audubon Conservation Award has gone to an organization.

Citizens for Clean Power is a true citizen action group, founded by residents of Sussex County to work toward clean, renewable energy resources in Delaware. The group has been leading efforts to get the nation's first offshore wind farm established off the coast of Delaware. Kit Zak, one of the founders of Citizens for Clean Power, was quoted on National Public Radio: "I would love to see those windmills out there, because it would mean we were moving away from global warming and we were doing something progressive and something for the future generations."

A list of previous winners is available on our website at: www.delawareaudubon.org/conservation/

The annual silent auction will be held during the Annual Meeting. Funds raised during the Annual Meeting will be used to support Delaware Audubon's environmental action and education programs. ■

FROM THE PRESIDENT



I have been fortunate to have served not just as president of this organization, but also as president of the Delaware Humane Association in Wilmington.

There is a common interest in both domesticated and non-domesticated animals. At the Humane Association, we had to deal daily with the reality of large feral cat populations in Wilmington and through Northern Delaware. For the Humane Association, the question was one of responsible pet ownership. Feral cats are the result of human activity, and the management of feral cats then becomes a human calling.

What should we do about this population of small game hunters? Some have attempted to "cull the herds" through outright hunting or capture-to-kill programs. Some have attempted to "thin the herds" by capturing, spaying and neutering feral cats, and then releasing healthy cats back into the colony. This slows or eliminates the growth in numbers of these cats. One undeniable problem with populations of feral cats is their hunting of birds as a source of food. The official policy of the Humane Society of the United States currently involves the support of a trap-and-release program to thin the herds of feral cats humanely. It can be found at: www.hsus.org/pets/issues_affecting_our_pets/feral_cats/TNR_statement.html

Locally you can try to contact the Delaware Humane Association, Faithful Friends, Forgotten Cats, or the SPCA in New Castle County. In Kent and Sussex there are multiple organizations that can be found in this recent article from the Cape Gazette: www.capegazette.com/storiescurrent/200701/grassrootspets011907.html

While the Humane Associations focus on Trap-Neuter/Spay-and-Release programs, they tend to ignore a causal link to bird population declines. In their view, capturing and killing cat colonies without removing the food source only encourages other cat colonies to move into the same location. Yet the food source isn't always human garbage, it is also domestic birds.

For the Delaware Audubon Society, we have to deal with the result of feral cat populations in recognizing the decline of bird species resulting from these populations of cats. The National Audubon Society recognized this problem and passed resolution, which you can read on their website at: www.audubon.org/local/cn/98march/nasr.html

This resolution, however, comes up just short of advocating for the euthanasia of feral cats. Instead, it points to working the problem locally. Since the passing of this resolution, any Internet search on feral cats will provide you details of individual state battles regarding an appropriate solution to this problem. In some instances, National Audubon and its state/local chapters have supported the elimination of colonies because of bird predation, among other factors.

I bring this up because of what is going on at Cape May, on the opposite side of our Bay. There was a battle between bird conservation and cat organizations around the feral cat problem there. Earlier this month, the Cape May City Council decided, on pressure from the federal and state governments for the protection of the Piping Plover, to erect fences and remove feral cats from the beach where the birds nest. This was seen as a compromise position between the two extremes of catch-and-kill, or catch-and-relocate, keeping the feral populations intact at Cape May while also striving to protect these endangered birds.

In Delaware, we have a growing feral problem on area farms; and as the economy falters we would expect to see a rise in abandoned cats that will add to these colonies. It is my hope that our members, if they witness stray or feral cats, will help to take action by contacting a local organization that will capture these animals and administer appropriate care.

Mark Martell

THE DELAWARE AUDUBON NEWSLETTER IS PUBLISHED
QUARTERLY BY THE DELAWARE AUDUBON SOCIETY.

Please visit our website for the latest news and
information: www.delawareaudubon.org



The Delaware Audubon Society, incorporated
in 1977, is a statewide chapter of the National
Audubon Society.

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CONSERVATION REPORT



BY NICHOLAS DiPASQUALE

① Bluewater Wind Offshore Wind Energy Project

On December 18, 2007, the PSC and the other decision making agencies tabled action of the Power Purchase Agreement between Bluewater Wind and Delmarva Power, in spite of a favorable recommendation from the PSC staff and a favorable evaluation by the Independent Consultant. Sen. Harris McDowell announced that the Senate Energy & Transit Committee, which he chairs, would be conducting a series of hearings. Five hearings have been held to date. Delaware Audubon provided testimony at the first hearing stating that we did not recognize the need for or the legitimacy of the hearings and that they appeared to be a subterfuge to delay or derail the offshore wind energy project proposed by Bluewater Wind. Senator Karen Peterson, who serves on the Committee, called the hearings a "sham."

TAKING ACTION – WHAT YOU CAN DO: Contact Sen. McDowell (Harris.McDowell@state.de.us) and tell him to let the offshore wind energy project proceed.

② Regional Greenhouse Gas Initiative (RGGI)

SCR 28 Work Group on Carbon Auction – Under SCR 28, DNREC has established a Carbon Auction Workgroup to attempt to resolve the issue of how much of the carbon allowances for Delaware power plants should be auctioned and how the funds from the auction should be utilized. The RGGI agreement signed by Delaware and the other RGGI states provides for a minimum 25 percent auction, although virtually every RGGI state save Delaware has essentially already decided on a 100 percent auction. Representatives from Delaware Audubon, the Delaware Chapter of the Sierra Club and the Mid-Atlantic Environmental Law Center recommended that Delaware should move forward with a 100 percent auction as virtually each of the other member states have or plan to. These funds would then be used to provide incentives and financial support for reduced or non-carbon emitting technologies, energy conservation and efficiency projects and programs.

One vehicle for administering the auction funds is the Sustainable Energy Utility (SEU), although the chief proponent of that initiative, Sen. Harris McDowell, is not convinced that a 100 percent auction is necessary. Sen. McDowell previously stated that the private financial markets are willing to provide as much as \$30 to \$50 million to capitalize the SEU fund and therefore the SEU doesn't need the proceeds from the carbon auction. Apparently, the Senator has changed his mind on this point.

The electric power generators produced a proposal to start at a 50% auction and then ramp up to 100% in 10% increments over 5 years. Environmental representatives presented a proposal that would provide for 100% auction and allow 25% of the proceeds to go to the SEU, with the remaining 75% going to a citizen-based oversight committee to be used to support renewable energy sources. Sen. McDowell and Dr. Byrne did not embrace this proposal and argued that all of the proceeds are required to go to the SEU, a point with which we vigorously disagree.

At this point, there is no consensus among the Work Group members. DNREC intends to write a report that encourages the General Assembly to enact enabling legislation that is necessary for the state to administer the RGGI program. They will attempt to present some of the main proposals and alternatives discussed by the Work Group but will not make a recommendation to the General Assembly.

③ Sustainable Energy Utility (SEU)

Legislation to establish a Sustainable Energy Utility passed the General Assembly and was signed by the Governor. The "Utility" will be governed by the original Task Force members (mainly legislators) who developed the legislation. They will serve as a de facto Board of Directors until or unless they decide to recommend a specific Board make up, which will probably require changes to the legislation. Delaware Audubon and numerous other conservation organizations have written to Sen. McDowell recommending that he provide greater representation from the conservation community and other interested organizations.

The SEU applies to all fuels and sources of energy and holds great potential for reducing energy consumption and carbon emissions as well as many other emissions associated with fossil fuel combustion, including cars. There is some concern about the relationship between the SEU and members of its governing Board and the efforts of the SCR 28 Work Group on Carbon Auctions and RGGI. The SEU as it was originally conceived was intended to operate without any state funding and would rely on private sector loans. It appears Sen. McDowell has changed course and is now attempting to use carbon auction revenues generated under RGGI to finance the SEU.

TAKING ACTION – WHAT YOU CAN DO: Contact your elected representatives and urge them not to finance the SEU using carbon auction proceeds.

Conservation Report continued on page 4 ➡

CONSERVATION REPORT, CONTINUED

④ Indian River Power Plant (IRPP)

The NPDES (water discharge) permit for the IRPP once-through cooling water system is up for renewal by DNREC. These once-through cooling water systems are responsible for a substantial degree of mortality among juvenile fish and fish larvae through processes known as "impingement and entrainment." EPA promulgated regulations to reduce these impacts but the national Riverkeeper Network challenged the regulations, which were subsequently overturned by the courts. A draft permit was prepared by DNREC that only calls for the owner NRG to study the problem. A hearing was requested on the permit renewal by Citizens for Clean Power.

A hearing was held by DNREC on Thursday, February 21st in Millsboro. By all accounts, the hearing was a disaster. According to various reports, DNREC staff was unable to answer questions about key terms and definitions, why the permit had been expired for 16 years, and why certain fish species were not considered as part of the impact assessment. The record was held open for 30 days.

TAKING ACTION – WHAT YOU CAN DO: Contact DNREC and demand that they require these facilities to do more than just study the problem. At a minimum, they should be required to examine and implement technologies to mitigate the impacts from these systems.

⑤ Bald Eagle Protection

The Bald Eagle was removed from the Endangered Species List and is now protected under the Bald and Golden Eagle Protection Act. The US FWS has promulgated guidance under that act which provides less protection for the bird. Delaware Audubon and representatives of some other Delaware conservation organizations petitioned DNREC to extend or maintain the same level of protection as previously existed. We have been working with DNREC to develop suitable regulatory language and expect to have a proposed rule ready for promulgation early next year.

TAKING ACTION – WHAT YOU CAN DO: Contact DNREC and make them aware of your support for this rulemaking.

⑥ New Jersey Moratorium

The New Jersey Marine Fisheries Commission last month voted down a proposal to extend indefinitely the previously imposed two-year horseshoe crab harvesting moratorium. In response, legislation has been introduced in the NJ General Assembly that would put the moratorium into effect. The bill passed overwhelmingly in the Assembly and now goes to the Senate for consideration. ■

EDUCATION

25th Season of Audubon Adventures Available Soon

Teachers can now order a subscription to the 2008-2009 Audubon Adventures Kit either by mail or by going to the Delaware Audubon website. Teachers must complete a brief survey regarding last year's kit as well as the renewal subscription form. A mailing with the new forms will be sent in April. The newest kit entitled "Feats of Nature" will focus on Migration, Animal Builders, Animal Defenses and Plants. Teachers may also order a previously published kit, "Exploring Earth's Biomes" (wetlands, etc) which fits well with fifth grade ecosystems. Audubon Adventures is inquiry-based and fun for teachers and students alike. The kit is correlated to national and state learning standards and helps students form positive attitudes toward the natural world in the local community. Each issue contains high interest content, appropriate activities, and hopeful messages. The cost of the kits has risen, but the Delaware Audubon Society is still offering kits free to classroom teachers in Delaware. For additional information contact: kmtidball@msn.com. ■



IN MEMORIAM

Delaware Audubon Founder Barbara Lundberg

Barbara Lundberg was one of the founders of Delaware Audubon in 1976. She served on the Board of Directors and as chairperson of the society's field trips committee for many years. She was active in establishing Audubon's Bluebird nesting box trail system and was involved in its annual birdseed sale, enabling us to improve our fundraising capacity.

After a 1976 oil spill on the Delaware River, Delaware Audubon received requests to do something about the birds affected by the spill. Barbara felt that because of human interference with the natural environment and all its creatures, they needed a helping hand.

Tri-State Bird Rescue and Research was founded that winter, and Barbara responded to many oil spills. She shared her expertise at workshops and conferences with people from all over the United States and Canada.

Anytime Tri-State was notified of an oil spill, Barbara—working at the Wildlife Center or at the spill site—saw that all needed supplies were in order. She scheduled round-the-clock cleaning crews of as many as 60 people a day. She evaluated the priorities for the order of birds to be cleaned, and supervised the progress of birds through the cleaning process. Barbara was an active member of the National Wildlife Rehabilitators Association and received an award in 1990 for her efforts on their behalf.

Barbara served on the Board of Directors of Tri-State Bird Rescue and Research and as chairperson of wildlife cleaning projects. She also served as chairperson of the Tri-State Homestead Committee, which is responsible for the restoration and maintenance of the property's historic Homestead farmhouse. The Homestead is listed on the National Register of Historic Places.

Barbara probably cleaned more oiled birds than anyone else in the United States—maybe in the world. She was presented The Delaware Audubon Conservation Award in 1991 for her dedication to the welfare of Earth's creatures.

We are deeply saddened by her death. ■

Delaware Audubon Seeks Your Help with the 2nd Delaware Breeding Bird Atlas

From 2008 through 2012, we have the great opportunity to systematically survey Delaware's breeding bird fauna. Most of us have likely seen an American Robin nest in a local park or woodlot. Along the coast, Ospreys seem to inhabit any structure on which they can assemble a few sticks. Look at some nest boxes erected for Eastern Bluebirds, but look carefully. Maybe it contains Tree Swallows or Carolina Chickadees instead! Many of us might associate these birds with a healthy population or consider them relatively common. Now, imagine yourself along a roadside in early May listening to Black Rails call from a high marsh. Or stumbling across a Cooper's Hawk nest along the White Clay Creek. Or maybe, observing a Swainson's Warbler carrying food along a marshy creek bottom in Sussex County! Exciting indeed, and as important to know as the robins, Ospreys, and swallows!



Illustration by Steven D'Amato

All of these examples represent important data for our atlas project! Why, though, is it important for us to do a second breeding bird atlas for Delaware? Don't we already know what birds breed here and where they are?

These are reasonable questions to ask, and they have reasonable answers. Delaware completed its first atlas in 1987. Since then many changes have occurred throughout Delaware. We have seen the decline of some species that were once relatively common become relatively scarce. For example, according to the first atlas project Northern Bobwhite could be found in 99% of atlas blocks. Today, it has become a challenge to locate a bobwhite north of the C & D Canal.

Conversely, some species appear to be increasing in Delaware, such as the Bald Eagle. In 1987, at the completion of the first atlas, only 4 breeding pairs of Bald Eagles had been confirmed in the State. Today, more than 40 pairs are known to breed within Delaware's boundaries after a remarkable comeback! What other information can we learn of during this project? Do we have any "new" species breeding here? Has a species changed its breeding habitat? Are species breeding at different times than they did 20 years ago? These are all questions to be answered, and they will be answered by the second Delaware Breeding Bird Atlas!

The second Delaware Breeding Atlas is primarily a volunteer citizen science project. As a participant, you have a grand opportunity to enjoy our exciting bird fauna and contribute valuable data to science that will update our knowledge of Delaware's breeding birds. Your contribution of time, skill, knowledge, and data are the key to the success of the atlas! Most importantly, EVERY contribution counts! Whether you contribute many hours atlasing several blocks or report just a single nest you found in your backyard, your contribution helps to create this atlas. We welcome everyone to join us in making the second Delaware Breeding Bird Atlas a project to be enjoyed by all. In the process we hope that you can both learn from the project and teach others about the wonders of our bird diversity! Along the way, we may learn a few things about those birds, become better at identifying them, or simply take pride in contributing to their survival. All of this is possible with your support and assistance.

To learn more about the Breeding Bird Atlas project, or to find out how you can volunteer, visit www.delawareaudubon.org/birding or contact Ben Turover (benturover@yahoo.com). ■

Delaware Birding Trail Map & Website Now Available

The Delaware Birding Trail is a printed map and guide to the best birding locations in Delaware. The map is freely distributed at 13 sites across the state. DelawareBirdingTrail.org is the online companion to the printed map, offering a comprehensive resource for anyone planning a birding trip in the state. The Delaware Birding Trail is a joint project of Delaware Audubon, the Delmarva Ornithological Society, and the Delaware Division of Fish and Wildlife. ■

Groups Seek Emergency Listing of Red Knot Under Endangered Species Act

Data in scientific report highlights need for immediate action

WASHINGTON D.C. – Emergency protections are needed to prevent further catastrophic declines in numbers of red knots, warns a letter submitted to federal officials by nine conservation groups, including Delaware Audubon. The letter comes on the heels of a new report by 20 shorebird biologists from around the world, which details the rapid and ongoing decline of the migratory shorebird's populations in the Western Hemisphere.

"The science was clear years ago that the red knot faces imminent extinction yet the U.S. Fish and Wildlife Service failed to list this bird. The causes of the red knot's decline have only gotten worse in the two years since that decision. The most recent information leaves no doubt that the Service should list it immediately," said Jason Rylander, staff attorney, Defenders of Wildlife.

The letter from the conservation organizations was submitted to Interior Secretary Dirk Kempthorne and U.S. Fish and Wildlife Service (FWS) Director Dale Hall, and asks that the federal agencies use emergency authorities to list two subspecies of red knot under the Endangered Species Act (ESA). The letter cites a new scientific report also submitted to FWS today, titled "Update to the Status of the Red Knot *Calidris canutus* in the Western Hemisphere, February 2008." A similar letter signed by Robert Menendez (D-N.J.), Frank R. Lautenberg (D-N.J.), Benjamin L. Cardin (D-M.D.) was also sent to Secretary Kempthorne urging him to place the *rufa* subspecies of the red knot under the protection of the ESA.

The new report confirms that both the *rufa* and *roselaari* species of red knot in the United States need immediate protection or risk further decline and extinction. In addition to the evidence showing decreased populations of both subspecies of red knot, the report also found that weights of red knots caught in the Delaware Bay during their spring stopover have suffered significantly due to the reduced availability of horseshoe crab eggs that are needed to sustain the shorebird on the last leg of their migration to breeding grounds in the Arctic. Delaware and New Jersey currently do not have strong enough conservation measures in place to ensure adequate numbers of horseshoe crabs, and the Department of the Interior has failed to request the funds necessary to deal with the growing number of candidates – now totaling 282.

Two years ago the FWS denied a listing petition for *rufa* on an emergency basis but eventually issued a 12-month finding on the petition through its 2006 Candidate Notice of Review. FWS specifically stated that "the threats, in particular the modification of habitat through harvesting of horseshoe crabs to such an extent that it puts the viability of the knot at substantial risk, are of a high magnitude." It also concluded that the substantial risks did not warrant listing, however, because the risks were "nonimminent because of reductions and restrictions on harvesting horseshoe crabs." The *rufa* subspecies was assigned a listing priority number of six and categorized as "warranted but precluded" by species with higher conservation priority.

Not only has the Interior Department not made protecting endangered species a priority, they have in fact asked for an 11% decrease in funds for candidate conservation in their FY09 budget. Federal officials need to prioritize the protection of vulnerable species in the region or species such as the red knot will continue to face the imminent danger of extinction.

"New Jersey is proud to host this international traveling bird, the red knot, and we should do all we can to give it a hospitable welcome," said Senator Menendez. "Putting the red knot on the endangered species list is an important step we should take to preserve our endangered biodiversity; this should be part of a larger effort to support sustainability. Recognizing the importance of this shorebird is recognizing that all life on this planet is connected."

A copy of the petition letter, the Senators' letter and the report can be found at:

www.defenders.org/programs_and_policy/wildlife_conservation/imperiled_species/red_knot/management_and_policy/index.php ■



Photo © 2005 by Dan Chernoff

TAKING ACTION – WHAT YOU CAN DO: Contact the U.S. Department of Interior to let them know that you support the emergency listing of the Red Knot under the Endangered Species Act.

2nd DOS Birdathon Will Raise Funds for Red Knot Habitat

Our friends at the Delmarva Ornithological Society (DOS) will hold their second annual statewide Birdathon from May 3 through May 11, 2008. This is a fundraiser where individuals or teams count the number of different bird species observed during a 24-hour period in backyards, fields, forests, and wetlands in Delaware. DOS hopes to raise more than \$40,000 to help purchase vital migratory bird habitat along the Delaware Bay, and for research and conservation. Their first Birdathon raised about \$30,000 for conservation.

The focal point of the habitat purchase is to protect the feeding grounds of the red knot and other shorebird species whose numbers have declined significantly in recent years. Last year's funds helped purchase seven acres of beach and marsh habitat that will be managed by the Prime Hook National Wildlife Refuge. Once again this year, DOS is partnering with the Conservation Fund, a non-profit organization dedicated to protecting wildlife habitat. For more information, visit the DOS website at: www.dosbirds.org/bird-a-thon/ ■

Shop at Amazon.com, and Help Support Delaware Audubon!

Just go to www.delawareaudubon.org/amazon every time you shop, and a percentage of the sale will support our efforts to improve the environment in Delaware.

RECOMMENDED READING

New Novel Takes on Endangered Species and Extinction

How the Dead Dream, a new novel by conservationist-writer Lydia Millet, tells the story of an ambitious young real estate developer in L.A. who, in the wake of a personal crisis, becomes obsessed with rare and vanishing animals and starts breaking into zoos at night to be close to them.

Millet, an award-winning novelist married to Center for Biological Diversity founder and policy director Kieran Suckling, has penned one of the first American novels to approach the emotional and aesthetic implications of the extinction tragedy. *How the Dead Dream* is notable for its thoughtful engagement with the social and personal effects of massive species loss:

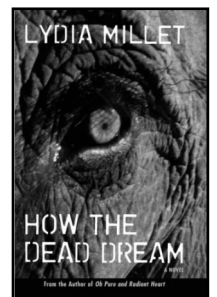
He soon learned to recognize the signs of an animal's imminent disappearance ... Sometimes a group or individual took up the cause of an animal or a plant and could muster the rationale for a lawsuit, and often the courts favored the victim; but the victim remained a victim and for each victim whose passing was noted thousands more slid away in the dark. From where he stood they succumbed with great ease; from where he stood they had always been invisible anyway.

As the story's protagonist struggles by night with ideas of human aloneness and what it might mean to be a "last" animal, he's building sprawling subdivisions by day, grappling with his suicidal mother, and fending off attacks by his brutal and jealous business partner Fulton.

How the Dead Dream is Millet's sixth novel, and not the first to explore environmental issues; her fifth, *Oh Pure and Radiant Heart*, dealt with the moral, cultural and philosophical legacy of nuclear weapons. *How the Dead Dream* has already been voted one of the top books of the year by both the National Book Critics' Circle and the American Library Association's Booklist.

Reading Group Guides to help spur discussion in book clubs and classes are available for conservation-focused audiences at www.softskull.com/files/HtDDguideB.pdf

How the Dead Dream has a list price of \$24, and has been available from publisher Counterpoint since January 2008. The novel contains adult themes and situations. For more information, or to purchase the book online from Amazon.com, visit www.delawareaudubon.org/HtDD ■



2008 Delaware Audubon Society Annual Meeting Reply Form

Yes, I wish to attend the 2008 Delaware Audubon Annual Meeting and Luncheon.

Name(s): _____

Total # _____ at \$30 ea. = \$ _____

Telephone: (Day) _____ (Evening) _____

Mail your check and this form to:

Delaware Audubon Society
Annual Meeting
P.O. Box 1713
Wilmington, DE 19899

Regretfully, I am unable to attend, but would like
to make a contribution toward the presentation.
I have enclosed a check for \$ _____.

Save time and pay securely online with a credit card at www.delawareaudubon.org/dinner



Delaware Audubon

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